

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING MINUTES
JULY 13, 2015**

MEETING CALLED TO ORDER: 6:30 P.M.
MEETING ADJOURNED: 7:40 P.M.

The regular meeting of Mayor and Council of the Borough of Buena was held Monday, July 13, 2015 commencing at 6:30 p.m. at the Borough Hall with Mayor Baruffi presiding. Mayor Baruffi led the flag salute and announced that this meeting was being held in compliance with the Open Public Meetings Act and notices of this meeting have been provided to the Press of Atlantic City, the Daily Journal and the Atlantic County Record as well as having been posted on the bulletin board at Borough Hall.

PRESENT: Councilpersons Marolda, Baker, Zappariello, Cugini, and McAvaddy, Michael Benson, Acting Solicitor and Dr. Paul Trivellini, Administrator, Dan Careganto, Public Safety Directory

ABSENT: Councilman James

MAYOR'S REPORT:

Mayor Baruffi reported on the following information. The Atlantic County Ratables loss is Impacting Atlantic County and other cities. The Solicitor will be reviewing and updating ordinances to protect residents. The Borough is looking into the possibility of a dump site on Louis Drive.

**RESOLUTION 69-15 DEDICATION BY RIDER
POLICE SPECIAL DETAIL m/Baker s/Cugini**

Requesting approval of the Director of Local Government Services to Establish a Dedicated Trust by Rider for Police Special Detail to NJSA40A: 4-39.

WHEREAS, permission is required of the Director of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, NJSA40A: 4-39 allows Municipalities to receive amounts for costs incurred for Police Special Detail; and

WHEREAS, N.J.S.A 40A:4-39 provides that the Director of Local Government Services may approve expenditures of monies by dedication by rider.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of Borough of Buena, County of Atlantic, State of New Jersey as follows:

1. The Mayor and Council hereby request permission of the Director of Local Government Services to pay expenditures for Police Special Detail pursuant to N.J.S.A. 40-A:4-39
2. The Municipal Clerk of Borough of Buena is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES				X
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

RESOLUTION 70-15

DEDICATION BY RIDER

TAX SALE PREMIUM TRUST m/Baker s/Cugini

Requesting approval of the Director of Local Government Services to Establish a Dedicated Trust by Rider for Tax Sale Premiums Collected Pursuant to NJSA40A: 4-39.

WHEREAS, permission is required of the Director of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, NJSA40A: 4-39 allows Municipalities to receive amounts for costs incurred for Tax Sale Premiums; and

WHEREAS, N.J.S.A 40A:4-39 provides that the Director of Local Government Services may approve expenditures of monies by dedication by rider.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of Borough of Buena, County of Atlantic, State of New Jersey as follows:

1. The Mayor and Council hereby request permission of the Director of Local Government Services to pay expenditures/refunds for Tax Sale Premiums as per N.J.S.A. 40-A:4-39
2. The Municipal Clerk of Borough of Buena is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES				X
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

RESOLUTION 71-15

DEDICATION BY RIDER

LANDFILL ESCROW CLOSURE m/Baker s/Cugini

Requesting approval of the Director of Local Government Services to Establish a Dedicated Trust by Rider for Landfill Escrow Closure Pursuant to NJSA40A: 4-39.

WHEREAS, permission is required of the Director of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, NJSA40A: 4-39 allows Municipalities to receive amounts for costs incurred for Landfill Escrow Closure; and

WHEREAS, N.J.S.A 40A:4-39 provides that the Director of Local Government Services may approve expenditures of monies by dedication by rider.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of Borough of Buena, County of Atlantic, State of New Jersey as follows:

1. The Mayor and Council hereby request permission of the Director of Local Government Services to pay expenditures for Landfill Escrow Closure pursuant to N.J.S.A. 40-A:4-39
2. The Municipal Clerk of Borough of Buena is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

	AYE:	NAY:		ABSTAIN:	ABSENT:
MAROLDA	X				
JAMES					X
BAKER	X				
ZAPPARIELLO	X				
CUGINI	X				
MCAVADDY	X				

RESOLUTION 72-15 AN RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REFUND OVERPAYMENTS. m/Baker s/Cugini

WHEREAS, there exists tax overpayments for Block 175, Lot 1.01, 101 North West Avenue on tax map and Block 140, Lot 5, 112 N. Harding Highway on tax map; and

WHEREAS, it has been determined by the tax collector that the overpayments should be refunded and the tax accounts adjusted to reflect said refunds.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena, in the County of Atlantic, State of New Jersey that Block 175, Lot 1.01, 101 North West Avenue, overpayment in the amount of \$443.93 and Block 140, Lot 5, 112 N. Harding Highway, overpayment in the amount of \$1,475.60 be refunded. The Tax Collector is hereby authorized to adjust the tax accounts.

BLOCK	LOT	NAME AND ADDRESS	REFUND
<u>175</u>	<u>1.01</u>	<u>PAYABLE TO:</u> <u>GARY L. WHITE AND PATRICIA WHITE</u> <u>101 NORTH WEST AVENUE</u> <u>MINOTOLA, NJ 08341</u>	<u>\$443.93</u>
<u>140</u>	<u>5</u>	<u>PAYABLE TO:</u> <u>ACTLIEN HOLDING INC.</u> <u>45 W. 45TH STREET, STE 1402</u> <u>NEW YORK, NY 10036</u>	<u>\$1,475.60</u>

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES				X
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

RESOLUTION 73-15 OFFICIAL DEPOSITORY/AUTHORIZED SIGNATURES m/Baker s/Cugini

WHEREAS, N.J.S.A40A:5-14 mandates that the governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies, a bank or trust company having its business in the State of New Jersey and organized under the laws of the United States or this State.

BE IT RESOLVED, by the Mayor and Council of the Borough of Buena that Susquehanna Bank, Newfield National Bank, TD Bank, Sun National Bank and Capital Bank be and the same are hereby designated the official Depositories of the Borough of Buena; and

NOW, THEREFORE, BE IT RESOLVED, that authorized signatures for depositories for the year 2015 are as follows:

Joseph Baruffi, Mayor, Rosalie Baker, Council President, Maryann Coraluzzo, Cynthia LoGuidice, Gail Knott, Diane Bassetti, and Paul Trivellini are authorized for the following:

Current Acct. 564000352
 General Capital 535123385
 40% Small Cities 564001202
 Donations Police/EMS 10008551797
 Recreation Comm. 564000725
 Small Cities Block 564000683
 Tax Title Lien 564001053
 UFS Penalty 20003066469

Developers Escrow 564001228
 Housing Trust 561397116
 Payroll Acct 564000402
 Police Trust 564000857
 Recycling Trust 564000691
 Tax Collection 535110127
 Tax Title Lien Prem 564001186

Elizabeth Battelini, John Capehart, Daniel Caregnato, Cynthia LoGuidice and Paul Trivellini are authorized for the following:

Buena Police Dept 561109040 Petty Cash Acct 564001079
 Community Policing 10014244411

John Capehart, Daniel Caregnato, Dale Jones, Cynthia LoGuidice and Paul Trivellini are authorized for the following:

Police Records 564000766

Joseph Baruffi, Mayor, Rosalie Baker, Council President, Maryann Coraluzzo, Cynthia LoGuidice, Gail Knott, Diane Bassetti, Valerie Santagata-Jones and Paul Trivellini are authorized for the following:

UFS Acct 535129515 Construction Code 564000717

Joseph Baruffi, Mayor, Rosalie Baker, Council President, Maryann Coraluzzo, Cynthia LoGuidice, Gail Knott, Diane Bassetti and Paul Trivellini are authorized for the following:

Occupancy 564001178

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES				X
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

**RESOLUTION 74-15 CDBG PARTICIPATION
 m/Baker s/Zappariello**

WHEREAS, Atlantic County was notified by letter dated October 27, 2000, from the United States Department of Housing and Urban Development (hereafter "HUD") announcing that the County of Atlantic qualified to receive a Formula Allocation for the Community Development Block Grant Program (hereafter the "Urban County Program") for the fiscal year 2001, 2002 and 2003; and

WHEREAS, it is necessary to provide documentation to HUD every three years to re-qualify the Urban County (hereafter "County") to continue to receive a formula allocation for the next three federal fiscal years; and

WHEREAS, it is necessary for the County to submit the qualifying documentation to HUD by July 24, 2015 to re-qualify for Fiscal Years 2016, 2017 and 2018; and

WHEREAS, in order to participate with the County in the Urban County Program for these years it is necessary for the Local Government to enter into a Cooperation Agreement with the County and other local governments; and

WHEREAS, the Local Government may not apply for grants or appropriations under the Small Cities or State CDBG Programs for the fiscal years during the period in which it participates in the Urban County CDBG Program, and

WHEREAS, the Borough of Buena desires to join with the County in the Urban County program; and

WHEREAS, the Interlocal Services Act NJSA 40:8A-1 et seq. Authorizes counties and municipalities to enter into agreements for the provision of joint services; and

WHEREAS, the execution of the Cooperation Agreement does not require the Local Government to expend municipal funds;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute the attached amendment to the Cooperation Agreement with the County, and other local governments, in substantially the following form with such minor changes as may be required by HUD.
2. This amendment along with Cooperation Agreement shall be effective for the remaining year of the Urban County Qualification period (Federal fiscal years beginning October 1, 2016, October 1, 2017 and October 1, 2018) and shall be automatically renewed for participation in successive three year qualification periods unless the County or the Borough of Buena provides written notice it elects not to participate for a new qualification period.
3. HUD requires that this Cooperation Agreement may have to be amended to incorporate changes necessary to comply with federal requirements for future qualification periods. Failure to comply will void the automatic renewal for such qualification period.
4. All resolution or parts of resolutions inconsistent with this Resolution are hereby repealed to the extent of their inconsistency.
5. The Clerk is hereby directed to provide a certified copy of this Resolution together with the annexed Cooperation Agreement, duly executed, to the County executive.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES				X
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

PERSONNEL:

RESOLUTION 75-15

A RESOLUTION ACCEPTING THE RESIGNATION OF JUSTIN PINEDA AS EMERGENCY MEDICAL TECHNICIAN FROM BUENA EMS. m/Cugini s/Baker

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the following resignation be regretfully accepted effective immediately:

JUSTIN PINEDA

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES				X
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

PUBLIC SAFETY DIRECTOR'S REPORT:

The Emergency Operations Plan has been revised and filed with the County.

ADMINISTRATORS' S REPORT: none

SOLICITOR'S REPORT: none

ENGINEER' S REPORT:

Kimberly Lane Storm Drain Pipe

The final change order has been approved by the Borough. Our office is working on closing out the project. An updated punchlist has been sent to the contractor for completion.

FY2013 and FY2014 NJDOT Municipal Aid Project – Reconstruction of Flower Street

The contractor began work on June 29, 2015.

Louis Drive Drainage

Our office is reviewing additional options to address the drainage issue.

Resurfacing of Forsythe Street

Paving of the roadway is complete. Stop bars are left to be installed.

COMMITTEE REPORTS:

RECYCLING: (COUNCILMAN MAROLDA) none

STREETS/ROADS: (COUNCILMAN JAMES)

Although Council James was not present the Mayor gave a brief report on the Road Departments Itinerary.

FINANCE: (COUNCILWOMAN BAKER) none

RECREATION: (COUNCILMAN ZAPPARIELLO)

Councilman Zappariello reported that a summer concert performance will be held this Tuesday evening at the Bruno Melini Park.

PUBLIC SAFETY/STREET LIGHTS: (COUNCILMAN CUGINI) none

BLDGS/GROUNDS/IMPROVEMENTS: (COUNCILMAN MCAVADDY) none

PUBLIC PORTION OF MEETING:

Lou Rothman of Express Taxi was present with concerns of an easement along a roadside.

Anna Marie Codario, 364 Cedar Lake Road; concerns with city water, the water system and no gas lines for generators. The Borough Administrator will follow up with these matters.

Brian Fatcher of Kimberly Lane; concerns with drainage issues and water coming from farmers.

CORRESPONDENCE: none

Need Motion to File Correspondence: m/Baker s/Cugini

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES				X
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

CLERK'S REPORT:

Minutes of the meeting of June 22, 2015 was approved m/Baker s/Cugini

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES				X
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

UNFINISHED BUSINESS: none

NEW BUSINESS: none

BILLS PAID AS LISTED: m/Baker s/Cugini

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
JAMES				X
BAKER	X			
ZAPPARIELLO	X			
CUGINI	X			
MCAVADDY	X			

NEXT MEETING: August 10, 2015

MEETING ADJOURNED: m/Baker s/Cugini RCVU

**PREPARED BY GAIL KNOTT
FOR DR. TRIVELLINI**